

1-14-11. Furlough leave without pay. (a) ~~If an appointing authority desires to deviate from the standard workweek as provided in K.A.R. 1-9-1 in order to implement a furlough plan, the appointing authority shall implement the plan in accordance with this regulation. For purposes of this regulation, “furlough” shall mean mandatory leave without pay for a preset number of hours during each pay period covered by the furlough. There are two types of furloughs.~~


(1) An administrative furlough is a planned action by an agency that is designed to address budget reductions necessitated by reasons other than a lapse in appropriations. A furlough plan shall be required for each administrative furlough.

(2) An emergency furlough occurs if there is a lapse in appropriations due to a failure by any funding authority to appropriate funds or any other type of emergency that results in an unanticipated interruption of funding to the agency. In an emergency furlough, an affected agency could have to cease activities that are not excepted by law, typically with very little lead time. A furlough plan shall not be required for any emergency furlough.

(b) In accordance with ~~subsection (c)~~ of this regulation, if an appointing authority deems it necessary ~~by reason of shortage of funds~~, the appointing authority may implement an administrative furlough or an emergency furlough without pay for all employees in the classified or unclassified service in designated classes, positions, organizational units, geographical areas, or any combination of those groups unless specific funding sources necessitate exceptions. ~~“Furlough” shall be defined as leave without pay for a preset number of hours during each pay period covered by the furlough plan.~~ An employee’s social security and retirement contributions shall be affected under a furlough, but all other benefits, including the accrual of vacation and sick leave, shall continue, ~~notwithstanding despite any~~ other regulations to the contrary. A

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furlough shall not affect the employee's continuous service, length of service, pay increase anniversary date, or eligibility for authorized holiday leave or pay.

(c)(1) For each administrative furlough, at least 30 calendar days before the date a the administrative furlough is to be implemented, the appointing authority shall prepare a furlough plan specifying the following information:

- (1)(A) The cause of the funding shortage;
- (2)(B) the effective date of the furlough and the date on which the furlough is to end;
- (3)(C) the methods for notifying the affected employees;
- (4)(D) the amount of advance notice that will be given to affected employees, which shall not be less than 10 calendar days;
- (5)(E) the estimated cost savings;
- (6)(F) each class, organizational unit, or geographical area to be affected;
- (7)(G) the criteria used to select each class, position, organizational unit, or geographical area to be included in the furlough;
- (8)(H) any exceptions to the furlough plan based on funding sources; and
- (9)(I) the number of hours by which the workweek will be reduced, including separate categories detailing the proposed reduction in hours by standardized increments for exempt and nonexempt employees.

(d)(2) A copy of each furlough plan prepared in accordance with this subsection (e) shall be submitted to the director at least 30 days before the date the administrative furlough is to be implemented.

(d) For each emergency furlough, the affected employees and the director shall be notified by the appointing authority as soon as it is practical to do so.

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(c) ~~In no case shall~~ This regulation shall not be used as a disciplinary action against ~~an~~
any employee.

(f) ~~This regulation shall be effective on and after June 5, 2005.~~ (Authorized by K.S.A.
75-3706, K.S.A. ~~2004~~ 2013 Supp. 75-3747, and K.S.A. 75-5514; implementing K.S.A. 75-3707,
75-3746, and 75-5505; effective, T-88-5, Feb. 11, 1987; effective, T-89-1, May 1, 1988;
effective Oct. 1, 1988; amended May 31, 1996; amended June 5, 2005; amended P-
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